



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,767	06/14/2000	Minoru Torii	862.C1926	8036

5514 7590 12/23/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 12/23/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/593,767

Applicant(s)

TORII, MINORU

Examiner

Michael S. A. Delgado

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 7 and 13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 5,996,010 by Leong et al.

In claim 1, Leong teaches about a network device managing apparatus comprising (Fig 2):

specifying means for specifying a device on a network as a management target (network function addresses a network management object- this is only possible by specifying the address of the network management object), (Col 3, lines 50-60);

acquiring means for acquiring management information of the device before said specifying means specifies the device (Col 6, lines 35-43); The MIB information is stored in

Art Unit: 2144

advance of it being accessed, which is evident by the MIB keeping count of good and bad data. Good and bad data are accumulated over time. The action of converting MIB from a network device to HTML that is used by a browser in a remote device is proof of the ability to acquire.

storing means “main memory and mass storage device” for storing the management information of the device acquired by said acquiring means (Col 6, lines 35-43), (Col 6, lines 50-65); It would not be possible to have a count of good and bad data over a time interval without proper storage.

generating means for generating output information “agent” to prepare for display the acquired management information in a predetermined form “HTML” in accordance with identification information of the device (remote device address) (Col 3, lines 40-50); and

transferring means for transferring “TCP/IP”, to a predetermined communication link of the network, the output information generated by said generating means in accordance with a specification of the device “HTML client” by said specifying means (Col 13, lines 20-35),

wherein if there is a link to other output information “other HTML documents” in the output information, said acquiring means acquires management information necessary for the other output information (Col 1, lines 40-55), (Col 3, line 60 –Col 4, line 15).

In claim 2, Leong teaches about an apparatus according to claim 1, wherein the management information is information in an MIB form (Col 6, lines 20-45).

In claim 3, Leong teaches about an apparatus according to claim 1, wherein said generating means generates the output information based on data, which includes an HTML format for defining the predetermined form, and a management information item of the device (Col 5, lines 45-65).

Art Unit: 2144

In claim 4, Leong teaches about an apparatus according to claim 1, wherein said generating means generates the output information in an HTML format (Col 3, lines 40-50).

In claim 5, Leong teaches about an apparatus according to claim 1, further comprising output means for outputting the output information “browser” (Col 3, lines 40-50).

In claim 6, Leong teaches about an apparatus according to claim 1, further comprising output means for displaying the output information in accordance with a URL (Col 3, line 60 – Col 4, line 15).

In claim 7, Leong teaches about a network device managing method using a predetermined network management protocol “SNMP”, comprising (Col 12, lines 55-67):

a specification step of specifying a device on a network as a management target (network function addresses a network management object- this is only possible by specifying the address of the network management object), (Col 3, lines 50-60);

an acquisition step of acquiring management information of the device before the device is specified in said specification step (Col 6, lines 35-43); The MIB information is stored in advance of it being accessed, which is evident by the MIB keeping count of good and bad data. Good and bad data are accumulated over time. The action of converting MIB from a network device to HTML that is used by a browser in a remote device is proof of the ability to acquire.

a storage step of storing the management information of the device acquired in said acquisition step in a memory (Col 6, lines 35-43), (Col 6, lines 50-65); It would not be possible to have a count of good and bad data over a time interval without proper storage.

a generation step of , generating output information to prepare for displaying the acquired management information of the device in a predetermined form “HTML” in accordance with identification information of the device (remote device address) (Col 3, lines 40-50); and

a transfer step of transferring, to a predetermined communication link “internet or intranet” of the network (Fig. 2), the output information generated in said generation step in accordance with a specification of the device “HTML client” in said specification step (Col 13, lines 20-35), wherein, if there is a link to other output information “other HTML documents” in the output information, said acquisition step acquiring management information necessary for the other output information (Col 1, lines 40-55), (Col 3, line 60 –Col 4, line 15).

In claim 8, Leong teaches about a method according to claim 7, wherein the management information is information in an MIB form (Col 6, lines 20-45).

In claim 9, Leong teaches about a method according to claim 7, wherein output information generated in said generation step is generated based on data, which includes an HTML format for defining the predetermined form, and a management information item of the device (Col 5, lines 45-65).

In claim 10, Leong teaches about a method according to claim 7, wherein the output information generated in said generation step is generated in an HTML format (Col 3, lines 40-50).

In claim 11, Leong teaches about a method according to claim 7, further comprising an output step of outputting the “web browser” output information (Col 6, lines 20-30).

Art Unit: 2144

In claim 12, Leong teaches about a method according to claim 7, further comprising a display step of displaying the output information in accordance with a URL (Col 3, line 60 –Col 4, line 15).

In claim 13, Leong teaches about a computer-readable storage medium storing a program for managing network devices using a predetermined network management protocol “SNMP”, the program comprising (Col 6, lines 50-65), (Col 12, lines 55-67):

a code for generating a specification step of specifying a device on a network as a management target (network function addresses a network management object- this is only possible by specifying the address of the network management object), (Col 3, lines 50-60);

a code for an acquisition step of acquiring management information for the device before the device is specified in the specification steps (Col 6, lines 35-43); The MIB information is stored in advance of it being accessed, which is evident by the MIB keeping count of good and bad data. Good and bad data are accumulated over time. The action of converting MIB from a network device to HTML that is used by a browser in a remote device is proof of the ability to acquire.

a code for a storage step of storing the management information “MIB” of the device acquired in the acquisition step in a memory (Col 6, lines 35-43), (Col 6, lines 50-65); It would not be possible to have a count of good and bad data over a time interval without proper storage;

a code for setting a generation step of generating output information “agent” to prepare for displaying the acquired management information of the device in a predetermined form

Art Unit: 2144

“HTML” in accordance with identification information of the device (remote device address) (Col 3, lines 40-50); and

a code for a transfer step of transferring, to a predetermined communication link “internet or intranet” of the network (Fig. 2), the output information generated in the generation step in accordance with a specification of the device “HTML client” in the specification step (Col 13, lines 20-35),

wherein, if there is a link to other output information “other HTML documents” in the output information, the acquisition step includes acquiring management information necessary for the other output information (Col 1, lines 40-55), (Col 3, line 60 –Col 4, line 15).

In claim 14, Leong teaches about a network device managing apparatus comprising (Fig 2):

specifying means for specifying a device on a network as a management target (network function addresses a network management object- this is only possible by specifying the address of the network management object), (Col 3, lines 50-60);

acquiring means for acquiring management information including a first property “statistic information concerning the network device” related to the device specified by said specifying means (Col 4, lines 1-15); and

generating means “agent” for generating a first output information to display the first property in a predetermined form “menu HTML document.. concerning the network device” in accordance with identification information of the device (Col 3, line 60 –Col 4, line 15),

wherein the first output information generated by said generating means includes address information "URLs" indicating a location of a second output information (one of the URL outputs in the menu) in a storage (MIB in storage), the second output information including a second property related to the device specified by said specification means (URLs used to access different information) (Col 4, lines 1-20) (Col 6, lines 25-50).

In claim 15, Leong teaches about a apparatus according to claim 14, wherein the first property "statistic information concerning the network device" and the second property " URL that was chosen" are different properties, and each property is related to one of network information, status information of the device, error information, and information for indicating details of a protocol of the network (Col 2, lines 1-15), (Col 4, lines 1-15), (Col 6, lines 40-55).

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,308,206 by Singh, teaches about an internet enabled computer system management.

US Patent No. 6,477,567 by Ohara, teaches about a method for managing a status request transmitted from a managing device to an interface device through a network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is 703-305-8057. The examiner can normally be reached on 8 AM - 4.30PM.

Art Unit: 2144


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703)308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7239 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.



MD

December 17, 2003



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100